

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 18, 2003

DIVISION ONE

B150107 People (Not for Publication)
v.
Paredes, et al.

The judgments against Paredes and Halas are reversed, and the cause is remanded to the trial court for a new trial.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION TWO

B165601 Kim T. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children Family Services, r.p.i.)

The petition for writ of mandate is denied. The order to show cause is discharged.

Boren, P.J.

We concur: Nott, J.
Doi Todd, J.

DIVISION TWO (Continued)

B163787 People v. Wright (Not for Publication)

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B159369 People (Not for Publication)
v.
Curiel

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Doi Todd, J.

B160378 People (Not for Publication)
v.
Mendoza

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Doi Todd, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B161198 Children and Family Services v. Adriana M.
B159411 People v. Salinas
B160497 Webb v. Department of Social Services
B161793 Children and Family Services v. Darrell W.
B157620 People v. Wright
B159605 People v. Jenkins
B158260 People v. Davis

Argument waived, cause submitted.

B163123 Harrison
 v.
 S.C.L.A.
 (Jones, r.p.i.)

Case called for status of settlement proceedings. Matter continued to the August calendar.

B160129 Brown
 v.
 Bally Total Fitness Corporation et al.

Merits:
Argued by Frank Barbaro for appellants and by Cathy Miller for respondents. Cause submitted.

B163050 Perez
 v.
 Tutor-Saliba Corporation

Merits:
Argued by Matthew J. Luce for appellant and by Jerold Fagelbaum for respondent. Cause submitted.

DIVISION THREE (Continued)

B154302 Kamco Textile, Inc., et al.

v.

Prime Alliance et al.

Merits:

Argued by Gary Brown for appellants and by Martin J. Kaufman for respondents. Cause submitted.

B165593 People of the State of California

v.

Superior Court, Los Angeles County
(Rohn, et al., r.p.i.'s)

Merits:

Argued by Brent Ferreira, deputy district attorney, for petitioner and by Stephen B. Sadowsky for real parties in interest. Cause submitted.

B159700 Mendoza

v.

Miller et al.

Merits:

Argued by Maro Burunsuzyan for appellant and by Cynthia Goodman for respondents. Cause submitted.

B157242 Reliant Energy Power Generation, Inc.

v.

Lockyer

Merits:

Argued by John Reese for appellant and by Hiren Patel, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (Continued)

B155283 Zurn Constructors, Inc.
 v.
 Castaic Lake Water Agency

Merits:
Argued by R. Bruce Tepper for appellant and by Patrick J. Duffy for
respondent. Cause submitted.

Court recessed at 1:30 p.m.

Court reconvened at 2:15 p.m.

Present: Klein, P.J. Croskey, J., Kitching, J., Aldrich, J., and M. Gavinski, Deputy
Clerk.

B159997 Baruch E. Cohen
 v.
 David K. Olson

Merits:
Argued by Baruch E. Cohen, appellant in propria persona, and by Robert
W. Hirsh for respondents. Cause submitted.

B155492 Walter
 v.
 Kia Motors America, Inc., et al.

Merits:
Argued by Thomas A. Turner, Jr., for appellant. No appearance by the
respondent. Cause submitted.

B144534 Levi
 v.
 Kadisha

Merits:
Argued by Marvin G. Burns for appellant and by Sam Krane for
respondent. Cause submitted.

DIVISION THREE (Continued)

B153966 Lane et al.
 v.
 Gasket Holdings, Inc., et al.

Merits:
Argued by William J. Sayers for appellants and by Charlotte Costan for respondents. Cause submitted.

B151127 Ross
 v.
 Santa Barbara News Press et al.

Merits:
Argued by Adam S. Bram and Anthony M. Glassman for appellant and by Kelli Sager for respondents. Cause submitted.

Court adjourned at 5:03 p.m.

B152610 Canton Poultry & Deli, Inc.
 v.
 Stockwell, Harris, Widom & Woolverton et al.

Filed order modifying opinion. Certification for publication. (No change in judgment)

B159882 People
 v.
 Eric Romero

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B164435 People (Not for Publication)
v.
Oscar T.

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

B162459 People (Not for Publication)
v.
Deluca

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

B162463 Eisendrath
v.
Eisendrath

Filed order denying petition for rehearing.

B147546 Juliano
v.
Long Beach Unified School District et al.

Filed order denying petition for rehearing.

DIVISION FIVE

B166070 GMAC Commercial Finance, LLC. (Not for Publication)
 v.
 S.C.L.A.
 (Mountain High Hosiery Ltd., r.p.i.)

The petition for writ of mandate is denied. The parties are to bear their own costs in this proceeding.

Grignon, J.

I concur: Mosk, J. (Opinion)
I dissent: Turner, P.J. (Opinion)

B161147 People (Not for Publication)
 v.
 Lenroe Minor

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION SIX

B161000 Isla Vista Business Assoc. (Not for Publication)
 v.
 County of Santa Barbara

The judgment is affirmed. County, Redevelopment Agency, and the Isla Vista Recreation and Park District are awarded costs on appeal.

Yegan, J.

We concur: Gilbert, P.J.
 Perren, J.

June 18, 2003 (Continued)

DIVISION SIX (Continued)

(Not for Publication)

B151626 The Board of Trustees of The California State University
v.
Bello's Sporting Goods

The judgment is reversed and remanded for the superior court to issue injunctive relief barring use of the "Cal Poly" logo. Costs are awarded to appellant.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B158375 Woodard et al. (Not for Publication)
v.
Bunnin Resale Center, Inc.

The judgment is affirmed. Costs to respondents.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B159336 Santa Barbara County (Not for Publication)
Department of Social Services
v.
Sara M.

The judgment (orders) are affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SIX (Continued)

B162055 Grundy (Not for Publication)
 v.
 Gourley

The judgment is reversed, and this case is remanded to the trial court with directions to enter an order denying Grundy's petition for a writ of mandate and reinstating the DMV's suspension order. The parties are to bear their own costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

B163925 People (Not for Publication)
 v.
 Woundedshield

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

B161273 People (Not for Publication)
 v.
 Reveles

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

June 18, 2003 (Continued)

DIVISION SIX (Continued)

[illegible]

The judgment and sentence are affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B160112 People (Certified for Publication)
v.
Johnson

The sentence is modified to delete the 10-year term that is based on the true finding under section 186.22, subdivision (b). The superior court shall modify the abstract of judgment to reflect a sentence of 15 years to life on the second degree murder count (count 2), and shall note a 15-year minimum parole eligibility date on that count pursuant to section 186.22, subdivision (b)(5). This modification does not affect the nine-year consecutive sentence for first degree robbery under count 1. The clerk of the superior court shall forward a copy of the amended abstract of judgment to the Department of Corrections. As so modified, the judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B154998 Coulombe (Not for Publication)
v.
City of Oxnard

The judgment is affirmed. Costs to respondents.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SIX (Continued)

B154219/ Operating Engineers Funds, Inc. (Not for Publication)
B156356 v.
City of Thousand Oaks

The order striking the City's motion to modify the judgment is affirmed. (B154219.) The order concerning attorney's fees is reversed as to Operating Engineers and affirmed as to the City. (B156356.) In these consolidated appeals, neither party shall receive costs.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B159417 People (Not for Publication)
v.
Rocky M.

The dispositional order is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B162599 People (Not for Publication)
v.
Brown

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

June 18, 2003 (Continued)

DIVISION EIGHT

B159408 People (Not for Publication)
v.
Romero

The clerk of the superior court is directed to modify the abstract of judgment to reflect that appellant's sentences for counts 9 and 11 are stayed, thus reducing appellant's prison term to four years and eight months, and to forward a copy of the corrected abstract to the Department of Corrections. As modified, the judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.